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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**PURDUE PHARMA L.P., et al.,

Debtors.¹**

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

AGENDA FOR NOVEMBER 17, 2020 HEARING

Time and Date of Hearing: November 17, 2020 at 10:00 a.m. (prevailing Eastern Time)

Location of Hearing: In accordance with General Order M-543 (“General Order M-543”), dated March 20, 2020, the Hearing will only be conducted telephonically. Any parties wishing to participate in the Hearing must make arrangements through CourtSolutions LLC. Instructions to register for CourtSolutions LLC are attached to General Order M-543. Please register with Court Solutions at www.court-solutions.com.

¹ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

Members of the public who wish to listen to, **but not participate in**, the Hearing free of charge may do so by calling the following muted, listen-only number: 1-844-992-4726, access code 1326458457#.

Copies of Motions: A copy of each pleading can be viewed on the Court's website at <http://www.nysb.uscourts.gov> and the website of the Debtors' notice and claims agent, Prime Clerk LLC at <https://restructuring.primeclerk.com/purduepharma>.

I. CONTESTED MATTERS:

1. ***KEIP/KERP Motion.*** Motion of Debtors for Entry of an Order Authorizing Implementation of a Key Employee Incentive Plan and a Key Employee Retention Plan [ECF No. 1674]

Objection Deadline: September 23, 2020 at 4:00 p.m. (prevailing Eastern Time) (for all parties other than the Official Committee of Unsecured Creditors, the Ad-Hoc Committee of Governmental and Other Contingent Litigation Claimants, the Non-Consenting States Group and the Multi-State Entities Group, with respect to whom the Objection Deadline was extended to November 10, 2020 at 4:00 p.m. (prevailing Eastern Time) with respect to the remaining KEIP participants).

Responses Received:

- A. Objection of the United States Trustee to Motion of Debtors for Order Authorizing Implementation of a Key Employee Incentive Plan and Key Employee Retention Plan [ECF No. 1708]
- B. The Ad Hoc Committee on Accountability's Objection to Debtor's Motion Authorizing Implementation of a Key Employee Incentive Plan and Key Employee Retention Plan [ECF No. 1709]
- C. Memorandum of Points and Authorities in Support of the Ad Hoc Committee on Accountability's Opposition to Debtor's Motion Authorizing Implementation of a Key Employee Incentive Plan and Key Employee Retention Plan [ECF No. 1710]

Reply:

- A. Debtors' Omnibus Reply in Support of Motion of Debtors for Entry of an Order Authorizing Implementation of a Key Employee Incentive Plan and a Key Employee Retention Plan [ECF No. 1742]
- B. Debtors' Supplemental Reply in Support of Motion of Debtors for Entry of an Order Authorizing Implementation of a Key Employee

Incentive Plan and a Key Employee Retention Plan [ECF No. 1960]

Related Documents:

- A. Amended Notice of Hearing on Motion of Debtors for Entry of an Order Authorizing Implementation of a Key Employee Incentive Plan and a Key Employee Retention Plan [ECF No. 1675]
- B. Order Authorizing Debtors to Implement a Key Employee Retention Plan [ECF No. 1762]
- C. Debtors' Supplemental Statement in Support of Motion of Debtors for Entry of an Order Authorizing Implementation of a Key Employee Incentive Plan and a Key Employee Retention Plan [ECF No. 1847]
- D. Order Authorizing the Debtors to Implement a Key Employees Incentive Plan [ECF No. 1861]

Status: This matter is going forward on a contested basis.

- 2. ***Motion to Confirm Payment by Sackler Family under DOJ Settlement Is Not Prohibited by This Court.*** Notice by the Sackler Families of Settlement with the United States Department of Justice and Motion to Confirm That Payment by the Sackler Families under Settlement with the United States Department of Justice Is Not Prohibited by This Court [ECF No. 1833]

Objection Deadline: November 3, 2020.

Responses Received:

- A. Statement Regarding and Limited Objection to Notice by the Sackler Families of Settlement with the United States Department of Justice and Motion to Confirm that Payment by the Sackler Families Under Settlement with the Department of Justice is Not Prohibited by this Court [ECF No. 1856]
- B. The Ad Hoc Committee on Accountability's Objection to the Sacklers' Motion to Confirm that the Payment by the Sackler Families under Settlement with the United States Department of Justice Is Not Prohibited by This Court [ECF No. 1891]
- C. Further Statement Regarding Notice by the Sackler Families of Settlement with the United States Department of Justice and Motion to Confirm that Payment by the Sackler Families under Settlement with the Department of Justice Is Not Prohibited by this Court [ECF No. 1893]

Reply:

- A. Omnibus Reply in Further Support of Motion to Confirm that Payment by the Sackler Families Under Settlement with the United States Department of Justice is Not Prohibited by This Court [ECF No. 1951]

Related Documents:

- A. Notice of Hearing on (I) Motion to Shorten Notice with Respect to Motion to Confirm That Payment by the Sackler Families under Settlement with the United States Department of Justice Is Not Prohibited by This Court and (II) Motion to Confirm That Payment by the Sackler Families under Settlement with the United States Department of Justice Is Not Prohibited by This Court [ECF No. 1836]
- B. Notice of Filing of Revised Proposed Order Confirming That Payment by The Sackler Families Under Settlement with The United States Department of Justice Is Not Prohibited by This Court [ECF No. 1858]
- C. Notice of Hearing on Motion to Confirm That Payment By The Sackler Families Under Settlement With The United States Department Of Justice Is Not Prohibited By This Court [ECF No. 1867]
- D. Debtors' Statement Regarding Motion to Confirm that Payment by the Sackler Families under Settlement with the United States Department of Justice is Not Prohibited by This Court [ECF No. 1909]
- E. Letter to Judge Drain from Audrey Strauss, Acting United States Attorney, Southern District of New York, Regarding How the Government Intends to Use the \$225 Million that Would be Paid to the United States [ECF No. 1942]

Status: This matter is going forward on a contested basis.

- 3. ***Motion to Approve Debtors' Settlement with United States.*** Motion of Debtors Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 9019 Authorizing and Approving Settlements Between the Debtors and the United States [ECF No. 1828]

Objection Deadline: November 10, 2020 at 4:00 p.m. (prevailing Eastern Time) (for all parties other than the the Ad-Hoc Committee of Governmental and Other Contingent Litigation Claimants, the Non-Consenting States Group and the Multi-State Entities Group, with respect to whom the Objection Deadline was extended to November 10, 2020 at

8:00 p.m. (prevailing Eastern Time) and the Official Committee of Unsecured Creditors, with respect to whom the Objection Deadline was extended to November 11, 2020 at 11:59 p.m. (prevailing Eastern Time))

Responses Received:

- A. The Ad Hoc Committee on Accountability's Objection to Purdue's Motion to Authorize and Approve Settlements Between Purdue and the United States [ECF No. 1911]
- B. Brief of Bankruptcy Professors as *Amici Curiae* in Opposition to the Proposed Settlement Between the United States and the Debtors [ECF No. 1913]
- C. Objection of the Ad Hoc Group of Non-Consenting States to the Motion of Debtors Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 9019 Authorizing and Approving Settlements Between the Debtors and the United States [ECF No. 1914]
- D. Limited Objection of the Ad Hoc Group of Individual Victims to Motion of Debtors Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 9019 Authorizing and Approving Settlements Between the Debtors and the United States [ECF No. 1916]

Reply:

- A. Debtors' Omnibus Reply in Support of the Motion of Debtors Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 9019 Authorizing and Approving Settlements Between the Debtors and the United States [ECF No. 1962]

Related Documents:

- A. The Official Committee of Unsecured Creditors' Statement Regarding Motion of Debtors Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 9019 Authorizing and Approving Settlements Between the Debtors and the United States [ECF No. 1920]
- B. Letter to Judge Drain from Mr. Dan Schneider [ECF No. 1934]
- C. Debtors' Motion for Leave to Exceed the Page Limit in Filing Omnibus Reply in Support of Motion Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 9019 Authorizing and Approving Settlements between the Debtors and the United States [ECF No. 1963]
- D. Notice of Filing of Revised Proposed Order Regarding the Motion of Debtors Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 9019 Authorizing and Approving Settlements Between the Debtors and the United States [ECF No. 1966]

Status: This matter is going forward on a contested basis.

II. CONTINUED MATTERS:

4. ***UCC Motion to Compel Production of Purportedly Privileged Documents Based on Failure to Demonstrate Documents Are Privileged.*** Official Committee of Unsecured Creditors' Motion to Compel Production of Purportedly Privileged Documents, or for *In Camera* Review, Based on Failure of the Sacklers and the Debtors to Demonstrate Documents Identified on Logs Are Privileged [ECF No. 1752]

Objection Deadline: October 14, 2020 at 11:59 p.m. (prevailing Eastern Time).

Responses Received:

- A. Objection of Mortimer Sackler Initial Covered Sackler Persons to the Official Committee of Unsecured Creditors' Motion to Compel Production of Purportedly Privileged Documents, or for *In Camera* Review, Based on Failure of the Sacklers and the Debtors to Demonstrate Documents Identified on Logs Are Privileged [ECF No. 1806]
- B. Debtors' Omnibus Objection to the Official Committee's Motions to Compel Production of the Debtors' Privileged Documents and Cross-Motion for a Protective Order [ECF No. 1808]
- C. The Raymond Sackler Family's Opposition to the Official Committee of Unsecured Creditors' General Challenges Motion [ECF No. 1810]
- D. Amended Raymond Sackler Family's Opposition to the Official Committee of Unsecured Creditors' General Challenges Motion [ECF No. 1816]

Related Documents:

- A. Declaration of Mitchell Hurley Dated September 29, 2020 [ECF No. 1754]
- B. Letter from Audrey Strauss, Acting United States Attorney for the Southern District of New York, Requesting Permission to File a Statement of Interest Regarding the UCC's Motions to Compel Production filed on September 30, 2020 [ECF No. 1803]
- C. Second Declaration of Jasmine Ball Dated October 14, 2020 [ECF No. 1807]

- D. Declaration of Benjamin S. Kaminetzky in Support of Debtors' Omnibus Objection to the Official Committee's Motions to Compel Production of the Debtors' Privileged Documents and Cross-Motion for a Protective Order [ECF No. 1809]
- E. Declaration of Mara Leventhal Dated October 14, 2020 [ECF No. 1812]
- F. Letter from Audrey Strauss, Acting United States Attorney for the Southern District of New York, Making Statement of Interest in Opposition to UCC's Motion to Compel [ECF No. 1821]
- G. Stipulation and Agreed Order Regarding Amended Briefing Schedule in the Chapter 11 Cases [ECF No. 1848]
- H. Notice of Agreement Between Debtors and Official Committee of Unsecured Creditors Regarding Privilege Motions and Adjournment of Hearing with Respect to Remaining Privilege Disputes as to the Sacklers [ECF No. 1908]
- I. Notice of Filing of Stipulation of Settlement and Agreed Order Regarding Official Committee's Motions to Compel and Debtors' Motion for Protective Order [ECF No. 1955]

Status: This matter is continued to December 15, 2020 at 10:00 a.m. (prevailing Eastern Time).

5. ***UCC Motion to Compel Production of Purportedly Privileged Documents Based on Exceptions to Privilege.*** Official Committee of Unsecured Creditors' Motion to Compel Production of Purportedly Privileged Documents, or for *In Camera* Review, Based on Good Cause, Crime Fraud, and At Issue Exceptions to Claims of Privilege [ECF No. 1753]

Objection Deadline: October 14, 2020 at 11:59 p.m. (prevailing Eastern Time).

Responses Received:

- A. Objection by Mortimer Sackler Initial Covered Sackler Persons to the Official Committee of Unsecured Creditors' Motion to Compel Production of Purportedly Privileged Documents, or for *In Camera* Review, Based on Good Cause, Crime Fraud, and At Issue Exceptions to Claims of Privilege [ECF No. 1804]
- B. Debtors' Omnibus Objection to the Official Committee's Motions to Compel Production of the Debtors' Privileged Documents and Cross-Motion for a Protective Order [ECF No. 1808]

- C. The Raymond Sackler Family's Opposition to the Official Committee of Unsecured Creditors' Exceptions Motion [ECF No. 1811]
- D. Amended Raymond Sackler Family's Opposition to the Official Committee of Unsecured Creditors' Exceptions Motion [ECF No. 1815]

Related Documents:

- A. Declaration of Mitchell Hurley Dated September 29, 2020 [ECF No. 1754]
- B. Letter from Audrey Strauss, Acting United States Attorney for the Southern District of New York, Requesting Permission to File a Statement of Interest Regarding the UCC's Motions to Compel Production filed on September 30, 2020 [ECF No. 1803]
- C. Declaration of Jasmine Ball Dated October 14, 2020 [ECF No. 1805]
- D. Declaration of Benjamin S. Kaminetzky in Support of Debtors' Omnibus Objection to the Official Committee's Motions to Compel Production of the Debtors' Privileged Documents and Cross-Motion for a Protective Order [ECF No. 1809]
- E. Declaration of Mara Leventhal Dated October 14, 2020 [ECF No. 1812]
- F. Stipulation and Agreed Order Regarding Amended Briefing Schedule in the Chapter 11 Cases [ECF No. 1848]
- G. Notice of Agreement Between Debtors and Official Committee of Unsecured Creditors Regarding Privilege Motions and Adjournment of Hearing with Respect to Remaining Privilege Disputes as to the Sacklers [ECF No. 1908]
- H. Notice of Filing of Stipulation of Settlement and Agreed Order Regarding Official Committee's Motions to Compel and Debtors' Motion for Protective Order [ECF No. 1955]

Status: This matter is continued to December 15, 2020 at 10:00 a.m. (prevailing Eastern Time).

Dated: November 16, 2020
New York, New York

DAVIS POLK & WARDWELL LLP

By: /s/ Eli J. Vonnegut
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